

**Notice of Allowability**

Application No.

09/671,731

Examiner

Grigory Gurshman

Applicant(s)

GRASSL ET AL

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 7/05/2005.
2. ☒ The allowed claim(s) is/are 1, 3-10 and 12-16.
3. ☒ The drawings filed on 23 September 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### EXAMINER'S AMENDMENT

The application has been amended as follows:

**Claim 1:** A method for protecting a secured data storage (1), by using sensors (2) to detect an external action on a component, ~~said component containing the secured data storage(1) and an overwritable memory~~, said method comprising the steps of:

determining that an attack has occurred based on undershooting or overshooting of a threshold on one of the sensors (2);

at least partially erasing a content of the secured data storage (1) upon determining that an attack has occurred;

permanently monitoring a status of the sensors (2), said component contains the secured data storage(1) and an overwritable memory;

and

recording status data of the sensors (2) by storing the status data cyclically in said overwritable memory (3).

### ***Allowable Subject Matter***

1. Claims 1, 3-10, 12-16 are allowed.
2. The following is an examiner's statement of reasons for allowance:
  - 2.1 Referring to the instant claims, Pearce discloses a security system using existing network and personal computers (see abstract). Pearce teaches the security system

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using a security detector associated with a personal computer attached to an existing data transmission network, where the personal computer is effective to detect security breaches and transmit an alarm even if the personal computer is not in its operating mode. When a security breach is detected by the security detector, the data transmission network is used to report the incident to a monitoring station for appropriate logging and action (see abstract). Pearce also teaches a sensor within the personal computer for transmitting an alarm through the data transmission network when the detected parameter of the security device exceeds the stored threshold even if the personal computer is in its non-operational state. The sensing means within the personal computer including a secondary processor which is operational even when the personal computer is in its non-operational state, whereby an alarm is transmitted when the secondary processor detects that the output of the security device exceeds the stored threshold (see column 6, lines 15-25).

Pearse, however, does not teach or suggest that component under attack has its own *internal* overwritable memory. Pearce does not teach or suggest storing the status data cyclically in the overwritable memory of the component, which has the protected data storage. Pearce also does not teach erasing the content of the security data memory when a threshold is overshoot.

2.2 Referring to the instant claims, Sloan discloses an equipment for electronically storing data (see abstract). Sloan teaches that in order to make the stored data secure, the equipment comprises one or more sensors (a, b, c) which sense a predetermined characteristic of an authorized user and cause erasure of the stored data if this

characteristic is absent e.g. for more than a predetermined time (see abstract). Sloan also teaches that in case of sensor a, a timer 12 causes erasure of data stored in a RAM 15 if the life function is below a threshold level for a preset time. In the case of sensors b and c, the timer 12 causes erasure of the data if successful comparisons are not regularly performed. In the case of sensor c a predetermined number of unsuccessful comparisons causes erasure. Furthermore, a sensor 17 is sensitive to breaking- open of the equipment, to cause erasure of the data (see abstract and Fig.1).

Sloan, however, does not teach or suggest storing the status data cyclically in the overwritable memory of the component, which has the protected data storage.

3. In view of the reasons provided herein, the combination of Pearce and Sloan will not render the claims 1, 3-10, and 12-16 obvious. Therefore, the instant claims are in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grigory Gurshman whose telephone number is (571)272-3803. The examiner can normally be reached on 9 AM-5:30 PM.

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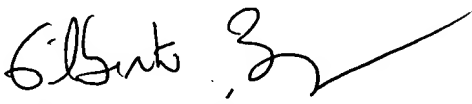
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571)272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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